

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD JULIUS DONALDSON,

Plaintiff,

v.

MERRICK GARLAND, et al.,

Defendants.

No. 2:21-cv-1178 TLN KJN P

FINDINGS AND RECOMMENDATIONS

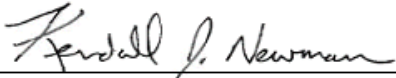
By an order filed August 2, 2022, this court ordered plaintiff to complete and return to the court, within thirty days, the USM-285 forms necessary to effect service on defendant Tuttle. On November 28, 2022, plaintiff was granted an additional ninety days to comply with the court's August 2, 2022 order (ECF No. 34). (ECF No. 41.) That ninety-day period passed, and plaintiff has not responded in any way to the court's order.

Accordingly, IT IS HEREBY RECOMMENDED that defendant Tuttle be dismissed from this action without prejudice. See Fed. R. Civ. P. 41(b).

These findings and recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, plaintiff may file written objections with the court. The document should be captioned "Objections to Findings and Recommendations." Plaintiff is advised that failure to file objections within the specified time

1 may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th
2 Cir. 1991).

3 Dated: February 27, 2023

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5 KENDALL J. NEWMAN
6 UNITED STATES MAGISTRATE JUDGE

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